

Central Intelligence Agency



Washington, D.C. 20505

OLL 85-2299

Mr. James M. Frey
Assistant Director for Legislative
Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Frey:

Enclosed is a copy of a proposed letter by the Director of Central Intelligence to Senator Durenberger concerning H.R. 2401, the Field Office Closing Justification Act. Passage of this legislation would be harmful to the national security, and we are seeking the assistance of the Chairman of the Senate Select Committee on Intelligence to obtain relief for the affected components of the Intelligence Community.

Since H.R. 2401 passed the House and has been referred to the Senate Government Operations Committee, we have also included herewith a proposed copy of a similar letter to Chairman Roth of that Committee.

In view of the strong letter of objection, attached herewith, that former Director, David Stockman sent to the Chairman of the House Post Office and Civil Service Committee on H.R. 2401, we believe that our letters to Senators Durenberger and Roth are consistent with Administration policy and we ask that you approve these letters at your earliest convenience.

Sincerely,

Charles A. Briggs

Charles A. Briggs
Director, Office of Legislative Liaison

Enclosures

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ADMINISTRATION VIEWS

Set forth below are the views of David A. Stockman, Director,
Office of Management and Budget on H.R. 2401:

EXECUTIVE OFFICE OF THE PRESIDENT,

OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, June 14, 1985.

TO: WILLIAM J. BOND,

Chairman, Committee on Post Office and Civil Service, House of
Representatives, Washington, DC.

Dear Mr. Chairman: This is in reply to the Committee's request
for the views of this Office on H.R. 2401, the "Field Offices Closing
and Reorganization Act."

The purpose of H.R. 2401 is to require agencies to submit a writ-
ten report to the Congress 120 days before any reorganization of a
field office takes effect. The bill specifies that the report must state
the nature of and reasons for the reorganization.

The bill also requires that agency reports (1) detail the number
of employees assigned to the affected office before and after the re-
organization; (2) specify the types of personnel actions proposed to
effect the changes; (3) list the number of employees who would be
affected by each type of personnel action; (4) compare the functions
performed by the field offices before with those that would be per-
formed after the reorganization; (5) assess the relative capacity of
a selected offices to perform assigned functions before and after
the reorganization, with emphasis on providing services to the
public; (6) estimate the economic impact and other consequences of
the reorganization on the local community; and (7) state the costs,
benefits, and other effects anticipated from the reorganization.

There are approximately 22,000 separate locations for Federal ci-
vilian field offices. Because of co location of bureau and subbureau
offices, the actual number of organizational entities involved
substantially higher. At any given time, there are hundreds of
changes occurring in these offices that could trigger the reporting
requirements of the bill. These changes occur due to shifts in work-
ing, changes in mission requirements or program focus, and in-
creases or decreases in budgets. Most of these changes are minor
and non-controversial. Although some will involve movement of
employees, most agencies use attrition in order to avoid disruptive
personnel actions. It is often difficult, however, to predict the exact
nature and number of personnel actions that will result from a
given change.

We do not have any hard data on the actual number of personnel
actions annually which are "incident to a decision" as defined by
the bill. If, however, even a small percentage of the 22,000 field lo-
cations are involved, Federal agencies would have to file several
thousand detailed reports annually.

This legislation would require the involvement of Congress in the
infinitesimal agency personnel management, a task for which Con-
gress is ill equipped and which would produce few if any positive
results. In fact, the costs would certainly outweigh any benefits.
The cost of preparation, review, clearance, and congressional
action of the reports would be substantial. More costly would be
the loss of needed field office reorganizations or other changes by

at least four months, requiring the continued use of resources in out-of-date organizational arrangements.

The bill, in short, intrudes upon the President's responsibility for
Executive branch management, contradicts recent efforts by Con-
gress and the Administration to eliminate unnecessary paperwork
and reduce the number of reports to Congress, and conflicts with
the goals, shared by Congress and the Administration, of streamlin-
ing government operations and establishing efficient and cost-effec-
tive management.

Accordingly, for the reasons stated above, this Office is strongly
opposed to the enactment of H.R. 2401.

Sincerely,

DAVID A. STOCKMAN,

Director

CHANGES IN EXISTING LAW MADE BY THE BILL, AS RECORDED

In compliance with clause 3 of Rule XIII of the Rules of the
House of Representatives, changes in existing law made by the bill
as reported, are shown as follows: Existing law proposed to be amend-
ed is enclosed in black brackets, new matter is printed in italics,
existing law in which no change is proposed is shown in roman.

TITLE 5, UNITED STATES CODE

CHAPTER 35—RETENTION PREFERENCE, RESTORATION, AND REEMPLOYMENT

SUBCHAPTER I—RETENTION PREFERENCE

Sec.

3501 Definitions; application

3502 Order of retention

3503 Transfer of functions

3504 Preference eligibles; retention; physical qualifications; waiver

SUBCHAPTER II—RESTORATION AFTER ACTIVITY ON TEMPORARY
DUTY; Reinstatement, Removal, and Return to Employment

SUBCHAPTER III—REINSTATEMENT OF SENIOR EXECUTIVE SERVICE
OFFICIALS; Removal of Senior Executive Service Officials

3501 Reinstatement on resignation, individual's suspended or removed
security

SUBCHAPTER IV—REEMPLOYMENT AFTER SERVICE WITH AN INTERNATIONAL ORGANIZATION

3501 Definitions

3502 Rights of transferring employees

3503 Computations

3504 Regulations

SUBCHAPTER V—REMOVAL, REINSTATEMENT, AND GUARANTEED PLACEMENT IN THE SENIOR EXECUTIVE SERVICE

3501 Definitions

3502 Removal from the Senior Executive Service

3503 Reinstatement in the Senior Executive Service

3504 Guaranteed placement in other personnel systems

3505 Reduction in force in the Senior Executive Service